

## **REMARKS**

As a preliminary matter, Applicant amended the title to read “Optical Recording Medium Including Identification Region Constituted of Protrusions and Recesses,” and respectfully request withdrawal of the objection on this basis.

Claims 1-7 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite. In response, Applicant canceled claims 1-6, and amended claim 7 to delete the phrases “the other,” “long, narrow,” and “on average” from the claim. For these reasons, withdrawal of the §112 rejection of claim 7 is respectfully requested.

Claims 1 and 3-5 stand rejected under §102(b) or §103(a) as being unpatentable over Karube (U.S. Patent No. 5,604,726). Since these claims are cancelled, the rejections are now moot.

Claims 1-2 and 4-7 stand rejected under 35 U.S.C. 102(e) as being anticipated by Hori et al. (U.S. Patent No. 6,233,219). In response, Applicant amended claim 7 to clarify that a land identification section where an averaged position of a boundary between a land track and a groove track is offset to the land track, and a groove identification section where an averaged position of the boundary between the land track and the groove track is offset to the groove track, and respectfully traverse the rejection of claim 7 as it applies to the amended claim.

In the rejection of claim 7, the Examiner identifies FIG. 13 of Hori as showing a groove identification section 11. However, no such section is identified in FIG. 13. In any event, Hori fails to disclose or suggest the features of claim 7, as now

amended. More specifically, Hori fails to disclose or suggest a land identification section where an averaged position of the boundary between the land track and the groove track is offset to the land track. Hori also fails to disclose or suggest a groove identification section where an averaged position of the boundary between the land track and the groove track is offset to the groove track. Hori is silent regarding averaging a position. Instead, Hori is merely directed to structures that have wobble tracks. However, unlike the present invention, complicated detection systems are required to accommodate the meandering of wobble tracks. (See Applicant's specification pg. 13, lns. 3-12).

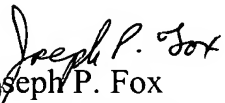
In contrast, the present application is designed such that a simple detection system can be used. (See Applicant's specification pg. 13, lns. 13-20). More specifically, the present application has an averaged position of a boundary between a land track and a groove track offset to a land track and a groove identification section where an averaged position of a boundary between the land track and the groove track is offset to the groove track. Support for this amendment can be found in Applicant's specification on page 26, lines 3-20. Since Hori fails to disclose or suggest this feature, withdrawal of the §102(e) rejection of claim 7, as now amended, is respectfully requested.

For all of the foregoing reasons, Applicant submits that this Application is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

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